

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRIAN A. WARREN,

Petitioner,

Case No. 1:11-cv-1301

v.

Honorable Robert J. Jonker

WILLIE SMITH,

Respondent.

**ORDER DENYING LEAVE TO PROCEED
IN FORMA PAUPERIS ON APPEAL**

On January 27, 2012, Petitioner filed a notice of appeal and a motion for leave to appeal *in forma pauperis*. On February 7, 2012, the Court issued an order of deficiency (docket #9) because Petitioner failed to file the documents required to apply to proceed *in forma pauperis* on appeal. The Court allowed 28 days for Petitioner to correct the deficiencies in his motion or to pay the \$455.00 filing fee for an appeal

Far more than 28 days have now elapsed, and Petitioner has not submitted the \$455.00 filing fee or the requisite documents to apply to proceed *in forma pauperis* on appeal. Accordingly, because Petitioner has failed to comply with the Court's February 7, 2012 order,

IT IS ORDERED that Petitioner's motion to proceed *in forma pauperis* on appeal (docket #8) is DENIED.

Dated: July 27, 2012

/s/ Hugh W. Brenneman, Jr.
HUGH W. BRENNEMAN, JR.
United States Magistrate Judge